

1 WRIGHT, FINLAY & ZAK, LLP
2 Dana Jonathon Nitz, Esq.
3 Nevada Bar No. 0050
4 Chelsea A. Crowton, Esq.
5 Nevada Bar No. 11547
6 7785 W. Sahara Ave., Suite 200
7 Las Vegas, Nevada 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 dnitz@wrightlegal.net
10 ccrowton@wrightlegal.net

11 *Attorneys for Plaintiff, Deutsche Bank National Trust Company as Trustee for Morgan Stanley*
12 *ABS Capital I Inc. Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5*

13 **U.S.DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 DEUTSCHE BANK NATIONAL TRUST
16 COMPANY AS TRUSTEE FOR MORGAN
17 STANLEY ABS CAPITAL I INC. TRUST
18 2006-NC5, MORTGAGE PASS-THROUGH
19 CERTIFIACTES, SERIES 2006-NC5, a
20 California Corporation,

21 Plaintiff,

22 vs.

23 5916 POST MOUNTAIN TRUST, a Nevada
24 Trust,

25 Defendants.

Case No.: 2:15-cv-02420-APG-GWF

26 **STIPULATION AND ORDER TO STAY**
27 **DISCOVERY PENDING A DECISION**
28 **ON THE MOTION TO DISMISS**

Plaintiff, Deutsche Bank National Trust Company as Trustee for Morgan Stanley ABS
Capital I Inc. Trust 2006-NC5, Mortgage Pass-Through Certificates, Series 2006-NC5
(hereinafter "Plaintiff" or "Deutsche Bank"), and Defendant, 5916 Post Mountain Trust
(hereinafter "Defendant" or "Post Mountain Trust"), by and through their attorneys of record,
hereby stipulate and agree to the following:

IT IS HEREBY STIPULATED AND AGREED that discovery in the case should be
stayed pending a ruling on the Defendant's Motion to Dismiss filed as Docket No. 12.

IT IS FURTHER HEREBY STIPULATED AND AGREED that the parties agree that a
ruling on the Motion to Dismiss will substantially effect whether discovery will be conducted in

1 the case or how discovery will be conducted due to the potential amendment or dismissal of the
2 case.

3 IT IS FURTHER HEREBY STIPULATED AND AGREED that if the Court does not
4 dismiss the case, that within thirty (30) days after the Court renders a ruling on the Motion to
5 Dismiss the parties will meet-and-confer and file a proposed discovery plan.

6 DATED this 18th day of April, 2016.

DATED this 18th day of April, 2016.

7 **WRIGHT, FINLAY & ZAK, LLP**

MAIER GUTERRIEZ AYON

8 /s/ Chelsea A. Crowton

/s/ Margaret E. Schmidt

9 Chelsea A. Crowton, Esq.

Luis A. Ayon, Esq.

10 Nevada Bar No. 11547

Nevada Bar No. 9752

11 7785 W. Sahara Ave. Ste. 200

Margaret E. Schmidt, Esq.

12 Las Vegas, NV 89117

Nevada Bar No. 12489

13 *Attorneys for Plaintiff,*

400 South Seventh Street, Suite 400

14 *Deutsche Bank National Trust Company as*

Las Vegas, NV 89101

15 *Trustee for Morgan Stanley ABS Capital I Inc.*

Attorney for Defendant,

16 *Trust 2006-NC5, Mortgage Pass-Through*

5916 Post Mountain Trust

17 *Certificates, Series 2006-NC5*

18 **ORDER**

19 IT IS SO ORDERED.

20 DATED this 28th day of April, 2016.

21 
22 U.S. MAGISTRATE JUDGE

23 Respectfully Submitted by:

24 **WRIGHT, FINLAY & ZAK, LLP**

25 /s/ Chelsea A. Crowton

26 Chelsea A. Crowton, Esq.

27 Nevada Bar No. 11547

28 7785 W. Sahara Ave. Ste. 200

Las Vegas, NV 89117

Attorneys for Plaintiff, Deutsche Bank National Trust Company

as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-NC5,

Mortgage Pass-Through Certificates, Series 2006-NC5